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EXAMINER

IQBAL, KHAWAR

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2686

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Please find below and/or attached an Office communication concerning this application or proceeding.



## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 8,9,11,16 and 17 are rejected under 35 U.S.C. 102(e) as being unpatentable by Weber et al (6343212).
3. Regarding claim 11 Weber et al teaches a method of altering operation of a device based on location, the device having default control logic that causes the device present an audible alert signal when the device receives a ring signal, the method comprising in combination (figs. 1-5):

when the device is in a given location, the device receiving a control signal associated with the given location (col.5, lines 35-48, col. 6, lines 25-45), wherein the control signal comprises a set of alternative control logic to be executed by the device when the device receives the ring signal wherein the alternative control logic cause the device to present a vibration alert signal when the device receives the ring signal (col. 9, lines 25-55, col. 10, lines 1-35, see above);

the device storing the set of alternative control logic in data storage (col.8, lines 10-40) (col. 9, lines 25-55, col. 10, lines 1-35, see above); and

the device thereafter receiving the ring signal and responsively applying the alternative control logic to present the vibration alert signal rather than applying the default control logic to present the audible alert signal (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above); and

upon a predetermine duration after the device has exited the given location, the device reverting to a mode in which the device applies the default control logic rather than the alternative control logic (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

Regarding claim 8 Weber et al teaches associating the control signal with the given location by emitting the control signal from at least one transmitter local to the given location (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

Regarding claim 9 Weber et al teaches detecting presence of the device in the given location, and responsively sending the control signal to the device in the given location (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

Regarding claim 16 Weber et al teaches applying the default control logic to present the audible alert signal comprises emitting a first predetermined signal structure, and wherein applying the alternative control logic to present the vibration alert signal comprises emitting a second predetermined signal structure (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

Regarding claim 17 Weber et al teaches wherein applying the default control logic to present the audible alert signal comprises presenting a first predetermined signal perceptible to a user, and wherein applying the alternative control signal to

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present the vibration alert signal comprises presenting a second predetermined signal perceptible to user(col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al (6343212) as and further in view of Grube et al (5778304).

6. Regarding claim 33 Weber et al teaches A base station (1') comprises only a transmission means (3') and a generating means (2') and serves only for transmitting the mode change information in a predetermined area by means of an antenna (5') and the base station is located in an area which has to be protected from disturbing usage of mobile terminals such in a waiting lounge or a restaurant (col. 4, lines 1-25, col. 9, lines 25-55, col. 10, lines 1-35, see above).

In an analogous art, Grube et al more detail teaches user of the device for approval of changing after the device receives the control signal (col. 3, lines 30-52). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Weber et al by specifically adding features in order to enhance a user response indicating whether or not the user approves of the control logic to increasing the efficiency of the communication system allows safe

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operation of mobile radios in regions where interference causes serious problems as taught by Grube et al.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 8,9,11,16,17 and 33 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.


If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Khawar Iqbal*

  
RAFAEL PEREZ-GUTIERREZ  
PRIMARY EXAMINER  
11/22/05